

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (currently amended): A packing container having oxygen absorbing layers comprising a base material resin component (component A) and an oxygen absorbing functional component (component B), the oxygen absorbing layers having an islands-in-the-sea structure in which the base material resin component (component A) is forming a sea portion of a continuous phase and the oxygen absorbing functional component (component B) is forming island portions of a dispersed phase, wherein the ratio (N/M) of the whole surface area (N cm²) of the island portions of the oxygen absorbing functional component (component B) in the oxygen absorbing layers to the volume (M cm³) of the packing container is not smaller than 20 (cm⁻¹),

wherein the island portions in the oxygen absorbing layers have an average particle diameter of smaller than 3.5 μ m.

2. (canceled).

3. (original): A packing container according to claim 1, wherein the base material resin component (component A) is a thermoplastic polyester resin.

4. (original): A packing container according to claim 3, wherein the thermoplastic polyester resin is a polyethylene terephthalate.

5. (original): A packing container according to claim 1, wherein the oxygen absorbing functional component (component B) comprises a gas barrier resin, an oxidizing organic component and a transition metal catalyst.

6. (currently amended): A packing container according to claim 5, wherein the gas barrier resin is a polyamide resin obtained by the polycondensation reaction of a diamine component containing chiefly a xylylenediamine having a terminal amino group concentration of not smaller than 40 eq/10⁶ g with a dicarboxylic acid component; ;

7. (original): A packing container according to claim 5, wherein the oxidizing organic component comprises a polymer derived from a polyene.

8. (original): A packing container according to claim 7, wherein the polymer derived from a polyene is an acid-modified polyene polymer.

9. (original): A packing container according to claim 5, wherein the oxygen absorbing functional component (component B) contains the oxidizing organic component in an amount of 0.01 to 10% by weight.

10. (original): A packing container according to claim 5, wherein the oxygen absorbing functional component (component B) contains the transition metal catalyst in an amount of 100 to 3000 ppm calculated as transition metal atoms.

11. (original): A packing container according to claim 5, wherein the transition metal catalyst is a cobalt salt of carboxylic acid.

12. (original): A packing container according to claim 5, wherein the oxidizing organic component is not existing in the sea portion.

13. (original): A packing container according to claim 1, wherein the oxygen absorbing functional component (component B) comprises an oxidizing organic component and a transition metal catalyst.

14. (original): A packing container according to claim 13 wherein the oxidizing organic component is a polyamide resin obtained by the polycondensation reaction of a diamine component containing chiefly a xylylenediamine having a terminal amino group concentration of smaller than $40 \text{ eq}/10^6 \text{ g}$ with a dicarboxylic acid component.

15. (original): A packing container according to claim 1, wherein the packing container is the one having a multi-layer structure laminating another layer on the oxygen absorbing layers.

16. (original): A packing container according to claim 15, wherein the oxygen absorbing layers contain the oxygen absorbing functional component (component B) in an amount of 10 to 60% by weight.